

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

WESTERN DISTRICT OF OKLAHOMA

Case number (if known)

Chapter

**11**☐ Check if this an amended filing

## Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **Prime Harvest, Inc.**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) **27-4978592**

4. Debtor's address

Principal place of business

**22793 Farm Market 410N  
Detroit, TX 75436**

Number, Street, City, State &amp; ZIP Code

**Red River**

County

Mailing address, if different from principal place of business

**510 Airport Road  
Guthrie, OK 73044**

P.O. Box, Number, Street, City, State &amp; ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State &amp; ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify:

Debtor **Prime Harvest, Inc.**  
Name

Case number (if known)

**7. Describe debtor's business****A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

**B. Check all that apply**

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

**C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.**

\_\_\_\_\_

**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District \_\_\_\_\_

District \_\_\_\_\_

When \_\_\_\_\_

When \_\_\_\_\_

Case number \_\_\_\_\_

Case number \_\_\_\_\_

Debtor **Prime Harvest, Inc.**  
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☐ No  
☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship	Affiliate
<b>Burgess Bungalow, LLC</b>		
<b>Western District of Oklahoma</b>	When <b>4/01/24</b>	Case number, if known <b>24-10840</b>

11. Why is the case filed in this district?

Check all that apply:

- ☐ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☒ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State &amp; ZIP Code

Is the property insured?

☐ No☐ Yes. Insurance agency

Contact name

Phone

### Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☐ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☒ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Prime Harvest, Inc.** Case number (if known) \_\_\_\_\_  
Name

**16. Estimated liabilities**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☒ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **Prime Harvest, Inc.**  
Name

Case number (if known)

**Request for Relief, Declaration, and Signatures****WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **March 29, 2024**  
MM / DD / YYYY**X /s/ Calvin Burgess**

Signature of authorized representative of debtor

**Calvin Burgess**

Printed name

Title **President****18. Signature of attorney****X /s/ Stephen J. Moriarty**

Signature of attorney for debtor

Date **March 29, 2024**

MM / DD / YYYY

**Stephen J. Moriarty 6410**

Printed name

**Fellers, Snider et al**

Firm name

**100 N. Broadway, STE 1700****Oklahoma City, OK 73102-8820**

Number, Street, City, State &amp; ZIP Code

Contact phone **405-232-0621**Email address **smoriarty@fellerssnider.com****6410 OK**

Bar number and State

**Fill in this information to identify the case:**Debtor name Prime Harvest, Inc.United States Bankruptcy Court for the: WESTERN DISTRICT OF OKLAHOMA

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

## Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration **Statement of Monthly Income and Expenses**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 29, 2024X /s/ Calvin Burgess

Signature of individual signing on behalf of debtor

Calvin Burgess

Printed name

President

Position or relationship to debtor

**Fill in this information to identify the case:**

Debtor name **Prime Harvest, Inc.**  
 United States Bankruptcy Court for the: **WESTERN DISTRICT OF OKLAHOMA**  
 Case number (if known): \_\_\_\_\_

☐ Check if this is an  
 amended filing

**Official Form 204**
**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**
**12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Barbara Waterston 6566 France Ave. #1203 Edina, MN 55435						\$50,000.00
Calvin Burgess 22793 FM 410N Detroit, TX 75436		Wages				\$40,796.42
Carter's Salvage 12772 OK98 Valliant, OK 74764						\$16,000.00
City of Idabel 201 East Main Street Idabel, OK 74745						\$200.00
Elliott Electric Supply P.O. Box 206524 Dallas, TX 75320						\$6,794.22
John Hagan 1229 Westlake Road Cleburne, TX 76033						\$125,000.00
Jones Hewling 5025 Sunset View Paris, TX 75462		Wages				\$21,507.30
Lost Creek Prop d/b/a Ewbank Drilling PO Box 148 Fairview, OK 73737						\$50,000.00
Mitchell Welding Supply P.O. Box 4426 Tyler, TX 75712						\$941.56
Optimum Process System, LLC PO Box 203 Waco, TX 76703						\$45,613.67

Debtor **Prime Harvest, Inc.**  
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Red River County Appraisal District PO Box 461 Clarksville, TX 75426						\$34,064.53
Rob Pendley 2417 NW 51st Oklahoma City, OK 73112						\$28,957.03
Susan Burgess 22793 FM 410N Detroit, TX 75436						\$55,000.00
Texas Pride Fuels, Ltd P.O. Box 732559 Dallas, TX 75373						\$6,181.15
Tonya R Martin Tax Assessor 200 N. Walnut Clarksville, TX 75426						\$23,255.04
Total Compliance Connection, L.L.C P.O. Box 238 Norman, OK 73070						\$4,500.00
Vision for You LLC 600 Stephens Port Drive Suite 104 Dakota Dunes, SD 57049						\$100,000.00
WRFS PO Box 862 Menomonie, WI 54751						\$6,750.00



**United States Bankruptcy Court  
Western District of Oklahoma**In re **Prime Harvest, Inc.**

Debtor(s)

Case No.

Chapter

**11****LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
<b>Calvin Burgess 510 Airport Road Guthrie, OK 73044</b>	<b>Common</b>	<b>100%</b>	

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the **President** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **March 29, 2024**Signature **/s/ Calvin Burgess  
Calvin Burgess**

*Penalty for making a false statement of concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court  
Western District of Oklahoma**

In re	<u>Prime Harvest, Inc.</u>	Case No.	
	Debtor(s)	Chapter	<u>11</u>

**VERIFICATION OF CREDITOR MATRIX**

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date:	<u>March 29, 2024</u>	<u>/s/ Calvin Burgess</u>
		<b>Calvin Burgess/President</b>
		Signer/Title

BARBARA WATERSTON  
6566 FRANCE AVE.  
#1203  
EDINA MN 55435

CALVIN BURGESS  
22793 FM 410N  
DETROIT TX 75436

CARTER'S SALVAGE  
12772 OK98  
VALLIANT OK 74764

CITY OF IDABEL  
201 EAST MAIN STREET  
IDABEL OK 74745

ELLIOTT ELECTRIC SUPPLY  
P.O. BOX 206524  
DALLAS TX 75320

JOHN HAGAN  
1229 WESTLAKE ROAD  
CLEBURNE TX 76033

JONES HEWLING  
5025 SUNSET VIEW  
PARIS TX 75462

LEGACY BANK  
2801 W. MEMORIAL  
OKLAHOMA CITY OK 73134

LOST CREEK PROP D/B/A EWBANK DRILLING  
PO BOX 148  
FAIRVIEW OK 73737

MITCHELL WELDING SUPPLY  
P.O. BOX 4426  
TYLER TX 75712

OPTIMUM PROCESS SYSTEM, LLC  
PO BOX 203  
WACO TX 76703

RED RIVER COUNTY APPRAISAL DISTRICT  
PO BOX 461  
CLARKSVILLE TX 75426

ROB PENDLEY  
2417 NW 51ST  
OKLAHOMA CITY OK 73112

SUSAN BURGESS  
22793 FM 410N  
DETROIT TX 75436

TEXAS PRIDE FUELS, LTD  
P.O. BOX 732559  
DALLAS TX 75373

TONYA R MARTIN TAX ASSESSOR  
200 N. WALNUT  
CLARKSVILLE TX 75426

TOTAL COMPLIANCE CONNECTION, L.L.C  
P.O. BOX 238  
NORMAN OK 73070

VISION FOR YOU LLC  
600 STEPHENS PORT DRIVE  
SUITE 104  
DAKOTA DUNES SD 57049

WRFS  
PO BOX 862  
MENOMONIE WI 54751

**United States Bankruptcy Court  
Western District of Oklahoma**

In re **Prime Harvest, Inc.**

Debtor(s)

Case No.

Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Prime Harvest, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

■ None [*Check if applicable*]

**March 29, 2024**

Date

**/s/ Stephen J. Moriarty**

**Stephen J. Moriarty 6410**

Signature of Attorney or Litigant

Counsel for **Prime Harvest, Inc.**

**Fellers, Snider et al**

**100 N. Broadway, STE 1700**

**Oklahoma City, OK 73102-8820**

**405-232-0621 Fax: 405-232-9659**

**smoriarty@fellerssnider.com**